

February 4, 2010

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUITElisabeth A. Shumaker
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

ERIC KENNETH AHLENIUS,

Defendant-Appellant.

No. 09-1250

(D.C. No. 1:98-CR-00261-LTB-1)


(D. Colo.)

ORDER

Before **GORSUCH** and **ANDERSON**, Circuit Judges, and **BRORBY**, Senior Circuit Judge.

On January 22, 2010, we granted appellant's motion to abate this appeal. Appellant has now filed an unopposed motion to dismiss the appeal as moot. Because this appeal is moot, we lift the abatement and GRANT the motion to dismiss. The mandate shall issue forthwith.

Entered for the Court,



ELISABETH A. SHUMAKER, Clerk